



Docket No.: 251873US8CONT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 10/824,429

Applicants: Toshihiro NAKAMURA, et al.

Filing Date: April 15, 2004

For: METHOD FOR MANUFACTURING A GLASS
DOPED WITH A RARE EARTH ELEMENT AND
FIBER FOR OPTICAL AMPLIFICATION USING
THE SAME

Group Art Unit: 2874

Examiner: STAHL, M.J.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

We have not included a check as we do not believe any fee is required. In the event there are any Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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DOCKET NO: 251873US8CONT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
TOSHIHIRO NAKAMURA, ET AL. : EXAMINER: STAHL, M.J.
SERIAL NO: 10/824,429 :
FILED: APRIL 15, 2004 : GROUP ART UNIT: 2874
FOR: METHOD FOR MANUFACTURING :
A GLASS DOPED WITH A RARE EARTH
ELEMENT AND FIBER FOR OPTICAL
AMPLIFICATION USING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement stated in the Official Action dated November 16, 2004, Applicants in the above-identified patent application provisionally elect Group II, Claims 2-22, drawn to a method for making glass used in manufacturing an optical fiber and a method for manufacturing an optical fiber.

The Restriction Requirement asserts that the application contains claims to distinct inventions. However, MPEP §803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be of an overlapping search area.

Serial No. 10/824,429

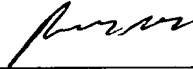
Response to Restriction Requirement dated November 16, 2004

Accordingly, Applicants respectfully **traverse** the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

However, if the present Restriction Requirement is not withdrawn, examination on the merits of the Claims of Group II is believed to be in order, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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